

REMARKS

1. Status of Claims

Claims 1-16 were pending in the Application. Applicant has amended claims 1, 4, 6-7 and 13 without prejudice or disclaimer. Applicant has added new claims 16-20. Applicant respectfully requests entry of the above amendments and consideration of the enclosed remarks. Applicants submit that no new matter is added. Accordingly, claims 1-20 will remain pending in the application.

2. Rejection Under 35 USC § 101

In section 2 of the Office Action, the Examiner rejected Claim 4 as allegedly drawn to non-statutory subject matter.

Applicant respectfully traverses the rejection since there is no statutory requirement to claim the alternative action. However, solely in order to expedite prosecution, Applicant has amended claim 4 without prejudice or disclaimer and the rejection is moot.

Accordingly, Applicants respectfully requests that the Examiner withdraw the rejection.

3. Double Patenting

In section 4 of the Office Action, the Examiner apparently indicated a provisional double patenting objection over commonly-owned, co-pending U.S. patent application no. 10/580,484 ("484 application"). Applicants have amended the independent claims herein and reserve the right to amend the claims in the '484 application.

4. Rejection Under 35 USC § 112

In sections 5-10 of the Office Action, the Examiner rejected Claims 1, 6 and 7 under 35 U.S.C. § 112, second paragraph as allegedly vague and indefinite.

Applicant respectfully traverses the rejection since the claims are sufficiently clear. However, solely in order to expedite prosecution, Applicant has amended

claims 1, 6 and 7 without prejudice or disclaimer and the rejection is moot. Applicants respectfully submits that the amended claims satisfy 35 U.S.C. § 112, second paragraph.

Accordingly, Applicants respectfully requests that the Examiner withdraw the rejection.

5. Rejections under 35 USC § 102(b)

In section 12 of the Office Action, the Examiner rejected Claims 1-3 and 5-16 under 35 U.S.C. 102(b) as allegedly anticipated by U.S. Patent Application Publication No. 2002/0032573 A1 by Williams, et al. (“Williams ‘573”).

Applicant respectfully traverses the rejection. Additionally, claims 1, 6, 7 and 13 have been amended without prejudice or disclaimer.

Initially, in Williams ‘573, certain Figures (e.g., FIGs. 47-51) in the sections referred to by the Examiner are redacted from the publication and thus not available as prior art. With regard to independent claims 1, 6 and 13, Williams ‘573 does not describe or suggest a client side symbol. For example, claim 1 recites “a local shipment pinpoint symbol on a computer screen.” Claim 6 recites in part: “providing the file to the user for storage locally at a user device.” Claim 13 recites in part: “a server computer for providing to a user computer a clickable shipment pinpoint symbol that is stored locally and when selected by the user triggers a shipping pinpoint inquiry to a carrier...”

Furthermore, in Williams ‘573, the cited paragraphs including 0381-82 do not describe tracking information at all, but rather pricing information and thus does not disclose the claimed invention.

Furthermore, in Williams ‘573, the user must log into a server side system and provide authentication before being presented a server side menu. In Williams ‘573, the server apparently maintains a server side log of shipments for a user and when a user selects a menu option on the server side system, a window of tracking status for all of the packages is shown and thus does not disclose the claimed invention.

The dependent claims are patentable over the cited references for at least the reasons described above with reference to the associated independent claim and any intervening claims.

Accordingly, the Examiner has not established a prima facie anticipation rejection.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

6. Rejections under 35 USC § 103(a)

In section 24 of the Office Action, the Examiner rejected Claim 4 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent Application Publication No. 2002/0032573 A1 by Williams, et al. ("Williams '573") in view of alleged official notice.

Applicant respectfully traverses the rejection. Applicant disputes the official notice to the extent it suggests that credit or reimbursement is provided for delay in providing the information regarding shipping status as opposed to delay in delivery of the item. Applicant also disputes the combination.

Additionally, Applicant has amended claims 1 and 4 and thus the rejection is moot.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

7. New Claims

Applicant has added new dependent claims 17-20 that are patentable over the cited references for at least the same reasons described above with reference to the associated independent claim and any intervening claims.

Accordingly, Applicants respectfully submit that the invention as presently claimed in claims 1-20 is patentable and in condition for allowance.

8. Conclusion Of Remarks

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

9. Authorization

No fee is believed due with this response. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-759.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-759.

Respectfully submitted,

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